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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/407,136 09/27/99 SHTEYNBERG

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EXAMINER

QM12/0112

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ART UNIT

PAPER NUMBER

3729

DATE MAILED:

01/12/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/407,136

Applicant(s)
Shteynberg et al

Examiner
A. Dexter Tugbang

Group Art Unit
3729



☒ Responsive to communication(s) filed on Oct 30, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-8, 14-16, and 18-20 is/are pending in the application.

Of the above, claim(s) 3, 14-16, and 18-20 is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1, 2, and 4-8 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Election/Restriction

1. Applicant's election without traverse of the invention of Species A in Paper No. 3 is acknowledged.
2. Claims 3, 14-16 and 18-20 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 4.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
4. The following title is suggested: Method for Winding Segments of a Segmented Wound Member of an Electromechanical Device.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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6. Claims 1, 2 and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In Claim 1, the phrase "the remaining sets" (lines 7-8) lacks positive antecedent basis.

In Claim 2, the phrase "winding steps" (line 9) is ambiguous and misleading as to which previous step of winding is being referred to, such as "winding...dispenser" (lines 7-8 of Claim 2) or "winding N sets...each set" (lines 3-4 of Claim 1). Furthermore, it is unclear if "a plurality of segments" (line 2) is referring to totally different segments or is referring to the "sets of segments" (line 3 of Claim 1) previously recited.

In Claim 6, the phrases of "the number of phrases" (line 3) and "the number of poles" (line 5), each lack positive antecedent basis.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1, 2 and 4-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Shramo et al 5,425,165.

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Shramo discloses the claimed manufacturing method comprising: separately winding (A_n , B_n , C_n) sets of segments (see Fig. 10) with a single continuous length of wire for each set; combining the sets of segments in a common circular arrangement to form the wound member (shown in Figs. 13, 14); arranging the segments in a side-by-side orientation along a longitudinal axis of rotation of form 62 (see sequence of Figs. 10-12); winding the plurality of segments with a wire dispenser which is broadly read as a conventional winding machine (discussed at col. 10, lines 30-35); and repeating the operations of arranging and winding for each set of segments (discussed at col. 7, lines 28+).

With respect to Claims 2 and 4 and the claimed step of rotating the plurality of segments and wire dispenser, this step is inherently taught by Shramo since relative movement would have to occur between the conventional winding apparatus and the plurality of segments to wind the wire around member 62. Thus, this inherent step of rotating the segments with the conventional winding apparatus is also repeated along with the steps of arranging and winding to complete the sets segments (A_n , B_n , C_n).

With regards to Claim 6, Shramo further teaches that the arranging, rotating and winding steps are a function of the claimed "number of phases" (see col. 8, lines 19-23) as well as the claimed "number of poles" of the electromechanical device (see col. 5, lines 32-42).

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Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 2 and 4-8, alternatively, are rejected under 35 U.S.C. 103(a) as being unpatentable over Shramo et al in view of Lauer 3,765,080.

With regards to Claims 2, 4, 5 and 6, if Applicants believe that Shramo does not inherently teach the step of rotating the segments and a wire dispenser relative to each other, then Lauer discloses such a conventional concept. Lauer teaches a conventional wire dispenser device (winding flyer apparatus shown in Fig. 1) to accurately wind multiple interconnected sets of segments in electromechanical devices at a high rate of speed (see col. 3, lines 18+).

With regards to Claims 7 and 8, Lauer further teaches that the wire dispenser can be de-energized during or upon completion of winding (at col. 7, lines 30+) which would meet the limitations of "being substantially stationary during at least a portion of the winding step" (last 2 lines of Claim 7). Furthermore, the wire dispenser moves along an axis parallel to the axis of rotation (see col. 5, lines 58-61).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have substituted the conventional wire dispenser device of Lauer for the wire

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dispenser of Shramo et al, to rotate the segments and wire dispenser relative to each other and produce accurate windings with multiple interconnected sets of segments at a high rate of speed.


Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dexter Tugbang whose telephone number is (703) 308-7599.

ADT

January 10, 2001

 1-11-01

GREGORY L. HUSON
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